

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANTONIO SIERRA,

Petitioner,

v.

DAVID DIGUGLIELMO, et al.,

Respondents.

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CIVIL NO. 3:CV-06-0604

(Judge Caputo)

ORDER

Petitioner commenced this *pro se* action with a petition for writ of habeas corpus (Doc. 1, Att. 1) filed in the United States District Court for the Eastern District of Pennsylvania ("Eastern District Court"). Thereafter, the Eastern District Court directed Petitioner to file a revised petition, acknowledging receipt of notice in compliance with *Mason v. Meyers*, 208 F.3d 414 (3d Cir. 2000) (requiring district courts to provide notice to pro se habeas petitioners of the implications of 28 U.S.C. § 2244(b) before ruling on their petitions). Upon receipt of the revised petition (Doc. 1, Att. 5), the Eastern District Court directed transfer of the case to this Court, and the case was received in this Court on March 23, 2006.

By Order dated April 3, 2006, this Court directed service of the revised petition on Respondents named therein, and the Court ordered Respondents to show cause within twenty days why the relief requested in the habeas petition should not be granted. Respondents were also directed to file a memorandum of law as well as those portions of any transcripts the Respondents deem relevant to disposing of the claims raised in the petition. Presently pending is Petitioner's "order of transcripts" (Doc. 14), in which he

requests copies of certain transcripts related to his state court appeal. Since Respondents have been directed to produce copies of relevant transcripts, **IT IS HEREBY ORDERED THAT** Petitioner's "order of transcripts" (Doc. 14) is construed as a motion for production of documents, and the motion is **DENIED** as premature.

Dated: April 20, 2006.

/s/ A. Richard Caputo
A. RICHARD CAPUTO
United States District Judge